

PTO/SB/21 (05-03)

Approved for use through 04/30/2003. OMB 0651-0031

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FORM**

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Total Number of Pages in This Submission

Application Number

10627358

Filing Date

July 25, 2003

First Named Inventor

Peter Migaly

Art Unit

Examiner Name

Attorney Docket Number

290194-00001

ENCLOSURES (Check all that apply)

- | | | |
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| <input type="checkbox"/> Fee Transmittal Form | <input type="checkbox"/> Drawing(s) | <input type="checkbox"/> After Allowance communication to Group |
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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Debra Z. Anderson
Signature	<i>Debra Z. Anderson</i>
Date	February 11, 2004

CERTIFICATE OF TRANSMISSION/MAILING

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This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: :
: :
PETER MIGALY : COMBINATION THERAPY FOR
: DEPRESSION, PREVENTION OF
Filed: July 25, 2003 : SUICIDE, AND VARIOUS MEDICAL
: AND PSYCHIATRIC CONDITIONS
Attorney Docket No.: 290194-00001 :

INFORMATION DISCLOSURE STATEMENT

February 11, 2004

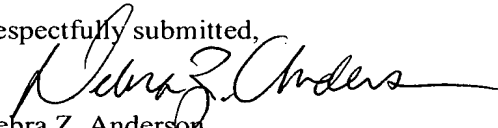
Mail Stop PATENT APPLICATION
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313

Sir:

Pursuant to the provisions of 37 CFR Sections 1.56, 1.97 and 1.98, Applicant submits herewith copies of the foreign patent document references and non-patent literature document references cited on the attached Forms PTO/SB/08A and PTO/SB/08B for consideration during prosecution of this application.

This Statement is filed solely for the purpose of complying with the pertinent rules of the Office and is not intended to be a substitute for an independent evaluation by the Examiner of the art cited or an independent search by the Examiner, and no representation of any nature is made or intended by the filing of this Statement.

Respectfully submitted,


Debra Z. Anderson
Registration Number 44,506
Eckert Seamans Cherin & Mellott, LLC
600 Grant Street, 44th Floor
Pittsburgh, Pennsylvania 15219
Telephone: 412-566-1910
Attorney for Applicant



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PTO/SB/08A (08-00)
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Substitute for form 1449A/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)				Complete if Known	
				Application Number	
				Filing Date July 25, 2003	
				First Named Inventor Peter Migaly	
				Group Art Unit	
				Examiner Name	
Sheet	1	of	3	Attorney Docket Number 290194-00001	

U.S. PATENT DOCUMENTS						
Examiner Initials ⁷	Cite No. ¹	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code ² (if known)			
	A	5,780,051		Eswara et al.	07-14-1998	
	B	6,159,963		Beasley et al.	12-12-2000	
	C	6,399,608		Dawson	06-04-2002	
	D	5,589,512		Norden	12-31-1996	
	E	2002003514		Tsai et al.	03-21-2002	
	F	6,147,072		Bymaster et al.	11-14-2000	
	G	6,395,727		Guadagno et al.	05-28-2002	
	H	5,500,343		Blum et al.	03-19-1996	
	I	5,591,884		DeNinno et al.	01-07-1997	
	J	4,310,524		Wiech et al.	01-12-1982	
	K	2002004004		Taylor	04-04-2002	
	L	2002001632		Taylor	02-07-2002	
	M	6,322,503		Sparhawk, Jr.	11-27-2001	
	N	6,066,643		Perry	05-23-2000	
	O	6,174,882		Yelle	01-16-2001	
	P	6,121,259		Yelle	09-19-2000	
	Q	6,352,984		Yelle	03-05-2002	
	R	6,348,455		Yelle	02-19-2002	
	S	5,958,921		Tollefson	09-28-1999	
	T	6,582,737		Hirsh et al.	06-24-2003	

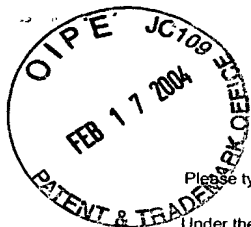
FOREIGN PATENT DOCUMENTS								
Examiner Initials ⁷	Cite No. ¹	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Office ³	Number ⁴	Kind Code ⁵ (if known)				
	U	WO	99/61027		Eli Lilly and Co	12-02-1999		
	V	EP	0958824A2		Eli Lilly and Co	11-24-1999		
	W	WO	95/00154		Hemisphere Limit	01-05-1995		
	X	WO	99/58130		Pharmacia & Upjo	11-18-1999		
	Y	WO	01/51041		Laboratorios Ph	07-19-2001		
	Z	WO	01/51040		Laboratorios Ph	07-19-2001		

Examiner Signature		Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ² See attached Kinds of U.S. Patent Documents. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

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Substitute for form 1449B/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet 3 of 3

Complete if Known

Application Number	
Filing Date	July 25, 2003
First Named Inventor	Peter Migaly
Group Art Unit	
Examiner Name	
Attorney Docket Number	290194-00001

OTHER PRIOR ART -- NON PATENT LITERATURE DOCUMENTS

Examiner Initials ¹	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	AC	MICHAEL E. THASE, M.D.; "What Role Do Atypical Antipsychotic Drugs Have in Treatment-Resistant Depression?"; The Journal of Clinical Psychiatry; February, 2002; Pages 95-103; 63:2; Physicians Postgraduate Press, Inc., Memphis, Tennessee	
	AD	JAMBUR ANANTH; "Treatment-Resistant Depression"; Psychother Psychosom; 1998; Pages 61-70; 67; S. Karger AG, Basel, Switzerland	
	AE	D. SOUERY ET AL.; "Treatment resistant depression: methodological overview and operational criteria"; European Neuropsychopharmacology; 1999; Pages 83-91; 9; Elsevier Science B.V./ECNP; Amsterdam, The Netherlands	
	AF	MARK W. VINER, M.D. ET AL.; "Low-dose Risperidone Augmentation of Antidepressants in Nonpsychotic Depressive Disorders with Suicidal Ideation"; Journal of Clinical Psychopharmacology; February, 2003; Pages 104-106; Vol. 23, No. 1; Lippincott Williams & Wilkins; Philadelphia, Pennsylvania	
	AG	DE ADSON, M.D. ET AL.; "An Open Trial of Quetiapine for Anxiety in Patients Receiving an SSRI"; Society of Biological Psychiatry Annual Meeting; May 16-18, 2002; Philadelphia, Pennsylvania	
	AH	SHIGEHIO HIROSE, M.D. and CHARLES R. ASHBY, JR., PH.D.; "An Open Pilot Study Combining Risperidone and a Selective Serotonin Reuptake Inhibitor as Initial Antidepressant Therapy"; Journal of Clinical Psychiatry; August, 2002; Pages 733-736; 63:8; Physicians Postgraduate Press, Inc., Memphis, TN	

Examiner
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Considered

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